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U.S. Department of Commerce No FEAR Act EEO Complaint Data International Trade Administration (ITA)

This is an interim report of No FEAR ACT data. The report will be revised upon publication of a final rule by the Equal Employment Opportunity Commission (EEOC).

- [Interim EEOC Rule](#)
- [Information on the No FEAR Act](#)
- [No Fear Act Data on the EEOC website \(includes information on EEOC Hearing and Appeals processing\)](#)

Data last updated: October 30 , 2004.

1. [Number of Complaints](#)
2. [Number of Complainants](#)
3. [Bases of Complaints](#)
4. [Issues in Complaints](#)
5. [Complaints Pending by Status](#)
6. [Average Days Processing Time of Pending Complaints](#)
7. [Pending Investigations](#)
8. [Complaints Dismissed](#)
9. [Findings of Discrimination as a Percentage of Total Complaints](#)
10. [Findings of Discrimination by Basis](#)
11. [Findings of Discrimination by Issue](#)

[Notes about the data](#)

1. Number of Complaints

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999

Number of complaints Pending at the Beginning of the FY	31	23	32	n/a	n/a	n/a	n/a	n/a
Number of complaints Filed in the FY	6	13	5	6	6	6	17	20
Number of complaints Closed in the FY	45*	5	6	10	13	13	19	17
Number of complaints Pending any time in the FY	37	36	37	n/a	n/a	n/a	n/a	n/a

*includes database cleanup of cases designated as "closeable."

[go to top](#)

2. Number of Complainants

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of complainants who had a complaint pending	28	23	23	n/a	n/a	n/a	n/a	n/a
Number of complainants who filed a complaint	6	12	5	6	6	6	16	15
Number of complainants who filed 2 or more complaints	0	1	0	0	0	9	1	4

[go to top](#)

3. Bases of Complaints

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Race	2	5	3	2	3	4	11	11
Color	1	2	1	1	1	2	3	0
Religion	1	4	2	0	1	0	1	0
National Origin	1	4	2	2	2	2	2	0

Sex	2	6	3	3	4	3	3	1
Disability	0	6	0	3	0	3	3	7
Age	3	6	0	2	2	2	1	3
Reprisal	2	5	5	2	4	3	10	12
Equal Pay	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	10	38	16	15	17	19	34	34

[go to top](#)

4 . Issues in Complaints

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Appointment/ Hire	0	2	0	0	0	0	0	1
Assignment of Duties	0	1	2	1	0	1	4	10
Awards	0	1	0	0	0	0	2	1
Conversion to Full Time	0	0	0	0	0	0	0	0
Discipline: Demotion	3	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	1	0	0	1	0	0
Discipline: Suspension	0	2	1	0	1	0	1	0
Discipline: Removal	0	1	0	0	0	0	1	0
Discipline: Other	0	0	1	1	1	0	0	0
Duty Hours	0	0	0	1	0	0	0	0
Evaluation/ Appraisal	1	0	3	1	1	0	4	3
Examination/ Test	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	6	4	1	0	2	5	13
Harassment: Sexual	0	0	0	0	2	0	0	0
Medical Examination	2	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	0	0	0	0	0	0	1

Promotion/Non-selection	0	1	2	2	3	1	7	1
Reassignment: Requested	1	3	0	1	1	0	1	0
Reassignment: Directed	0	0	2	1	0	1	1	1
Reasonable Accommodation	1	3	2	3	0	2	2	1
Reinstatement	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0
Termination	1	3	1	1	0	1	1	1
Terms/ Conditions of Employment	0	4	0	2	0	0	1	1
Time and Attendance	1	3	2	0	0	0	2	1
Training	0	1	0	0	0	0	1	1
Other	1	0	0	1	0	1	5	3
TOTALS	12	33	21	16	9	10	38	39

[go to top](#)

5. Complaints Pending by Status

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Investigation	4	8	9	n/a	n/a	n/a	n/a	n/a
Hearing	8	16	14	n/a	n/a	n/a	n/a	n/a
Final Agency Action	4	7	0	n/a	n/a	n/a	n/a	n/a
Appeal	1	3	5	n/a	n/a	n/a	n/a	n/a
Accept/Dismiss	1	0	0	n/a	n/a	n/a	n/a	n/a
TOTALS	18	34	28	n/a	n/a	n/a	n/a	n/a

[go to top](#)

6. Average Days Processing Time of Pending Complaints from Date Formal Complaint Filed

	FY 2006 2nd Quarter
Investigation: Hearing Requested	0
Investigation: No Hearing	188 *includes 1 case amended at least once
Final Agency Action: With Hearing	0
Final Agency Action: Without Hearing	331

[go to top](#)**7. Investigations Pending Over 180 Days**

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of Investigations Pending over 180 days	1	2	6	n/a	n/a	n/a	n/a	n/a

* 1 complaint over 180 days has been amended at least once. Amendments extend the time for investigation for 180 days from the date of amendment, or for 360 days from the date the original complaint was filed, whichever comes first. 29 CFR §1614.106(d)

[go to top](#)**8. Complaints Dismissed**

	FY 2006 2nd Q.	FY 2005	FY 2004	FY 2003	FY 2002	FY 2001	FY 2000	FY 1999
Number of Complaints Dismissed	1	0	0	0	2	4	1	2
Average Days Pending Prior to Dismissal	266*	0	0	0	741	168	38	63

* Dismissed after investigation

[go to top](#)**9. Findings of Discrimination as a Percentage of Total Complaints Pending Current to 2003**

	FY 2006: Number	FY 2006: Percent	FY 2005: Number	FY 2005: Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent
Findings of Discrimination With Hearing	0	0	0	0	0	0	0	0
Findings of Discrimination Without Hearing	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0

9. Findings of Discrimination as a Percentage of Total Complaints Pending 2002- 1999

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Findings of Discrimination With Hearing	0	0	0	0	0	0	0	0
Findings of Discrimination Without Hearing	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0

[go to top](#)

10. Findings of Discrimination By Basis Current to 2003

	FY 2006: Number	FY 2006: Percent	FY 2005: Number	FY 2005: Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent
Race	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0
Age	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0
Equal Pay	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0

10. Findings of Discrimination By Basis 2002-1999

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Race	0	0	0	0	0	0	0	0
Color	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0
Sex	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0

Age	0	0	0	0	0	0	0	0
Reprisal	0	0	0	0	0	0	0	0
Equal Pay	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0

[go to top](#)

11 . Findings of Discrimination by Issue Current to 2003

	FY 2006: Number	FY 2006: Percent	FY 2005: Number	FY 2005: Percent	FY 2004: Number	FY 2004: Percent	FY 2003: Number	FY 2003: Percent
Appointment/Hire	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	0	0
Harassment: Sexual	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	0	0
Reassignment: Requested	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0
Reinstatement	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0

Termination	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0

11 . Findings of Discrimination by Issue 2002-1999

	FY 2002: Number	FY 2002: Percent	FY 2001: Number	FY 2001: Percent	FY 2000: Number	FY 2000: Percent	FY 1999: Number	FY 1999: Percent
Appointment/Hire	0	0	0	0	0	0	0	0
Assignment of Duties	0	0	0	0	0	0	0	0
Awards	0	0	0	0	0	0	0	0
Conversion to Full Time	0	0	0	0	0	0	0	0
Discipline: Demotion	0	0	0	0	0	0	0	0
Discipline: Reprimand	0	0	0	0	0	0	0	0
Discipline: Suspension	0	0	0	0	0	0	0	0
Discipline: Removal	0	0	0	0	0	0	0	0
Discipline: Other	0	0	0	0	0	0	0	0
Duty Hours	0	0	0	0	0	0	0	0
Evaluation/Appraisal	0	0	0	0	0	0	0	0
Examination/Test	0	0	0	0	0	0	0	0
Harassment: Non-sexual	0	0	0	0	0	0	0	0
Harassment: Sexual	0	0	0	0	0	0	0	0
Medical Examination	0	0	0	0	0	0	0	0
Pay Including OT (overtime)	0	0	0	0	0	0	0	0
Promotion/Non-selection	0	0	0	0	0	0	0	0
Reassignment: Requested	0	0	0	0	0	0	0	0
Reassignment: Directed	0	0	0	0	0	0	0	0
Reasonable Accommodation	0	0	0	0	0	0	0	0

Reinstatement	0	0	0	0	0	0	0	0
Retirement	0	0	0	0	0	0	0	0
Termination	0	0	0	0	0	0	0	0
Terms/Conditions of Employment	0	0	0	0	0	0	0	0
Time and Attendance	0	0	0	0	0	0	0	0
Training	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
TOTALS	0	0	0	0	0	0	0	0

[go to top](#)

Notes about the data:

1. Data for dismissals includes complaints dismissed prior to investigation and complaints dismissed in later proceedings.

[go to top](#)

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